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FACEBOOK, INC. and MARK ZUCKERBERG

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

FACEBOOK, INC. and MARK ZUCKERBERG,

Plaintiffs,

v.

CONNECTU, INC. (formerly known as CONNECTU, LLC), PACIFIC NORTHWEST SOFTWARE, INC., WINSTON WILLIAMS, WAYNE CHANG, and DAVID GUCWA AND DOES 1-25,

Defendants.

Case No. 5:07-CV-01389-RS

PLAINTIFFS' MOTION TO SEAL EXHIBITS K, L-1, AND M-1 TO THE DECLARATION OF THERESA SUTTON IN SUPPORT OF PLAINTIFFS' RESPONSE TO FINNEGAN'S MOTION TO WITHDRAW AS COUNSEL FOR DEFENDANT WINSTON WILLIAMS

Date: January 28, 2007
Time: 9:30 A.M.
Judge: Honorable Richard Seeborg

Dockets.Justia.com

Pursuant to Civil L.R. 7-11 and 79-5 (d), Plaintiffs respectfully submit this motion asking the Court to file under seal Exhibits K, L-1 and M-1 to the Declaration of Theresa Sutton In Support of Plaintiffs' Response to Finnegan's Motion to Withdraw as Counsel for Defendant Winston Williams.

The parties entered into, and the California Superior Court issued, a Stipulated Protective Order on January 23, 2006, which prohibits either party from filing in the public record any documents that have been designated as "Confidential" or "Highly Confidential" pursuant to the Protective Order.

Exhibit K to the Declaration of Theresa Sutton is a document produced by Pacific Northwest Software in this litigation. It has been marked Highly Confidential by PNS pursuant to the Protective Order entered in this matter, and hence is subject to Local Civil Rule 79-5(d). Facebook takes no position as to whether the deposition testimony of Winston Williams is confidential.

Exhibit L-1 to the Declaration of Theresa Sutton is a copy of relevant excerpts from ConnectU's January 16, 2006, 30(b)(6) deposition. This transcript has been marked Highly Confidential by PNS pursuant to the Protective Order entered in that matter, and hence is subject to Local Civil Rule 79-5(d). Facebook takes no position as to whether this document is confidential.

Exhibit M-1 to the Declaration of Theresa Sutton is a copy of relevant excerpts from Pacific Northwest Software's January 29, 2007, 30(b)(6) deposition. This transcript has been marked Highly Confidential by PNS pursuant to the Protective Order entered in that matter, and hence is subject to Local Civil Rule 79-5(d). Facebook takes no position as to whether this document is confidential.

Dated: January 2, 2008

Orrick, Herrington & Sutcliffe LLP

/s/ Theresa A. Sutton /s/

Theresa A. Sutton
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FACEBOOK, INC. AND MARK ZUCKERBERG

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on January 2, 2008.

Dated: January 2, 2008.

Respectfully submitted,

/s/ Theresa A. Sutton /s/
Theresa A. Sutton